

(B) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.


Fed. R. Civ. P. 65(b). While temporary restraining orders are at times necessary, “[t]he stringent restrictions imposed by . . . Rule 65 [] on the availability of *ex parte* temporary restraining orders reflect the fact that our entire jurisprudence runs counter to the notion of court action taken before reasonable notice and an opportunity to be heard has been granted both sides of a dispute.” *Granny Goose Foods, Inc. v. Bhd. of Teamsters & Auto Truck Drivers Loc. No. 70 of Alameda Cty.*, 415 U.S. 423, 438–39 (1974). Accordingly, the procedural requirements of Rule 65(b) are strictly construed. *Tchienkou v. Net Tr. Mortg.*, 2010 WL 2375882, at *1 (W.D. Va. June 9, 2010).

Here, the plaintiff has failed to satisfy Rule 65(b)(1)(B). The Plaintiff has not certified in writing the efforts made to provide notice to the Defendant, nor provided a reason for why such notice should not be required. Emergency, *ex parte* relief is therefore unsupported by the current motion.

CONCLUSION

Accordingly, Plaintiff's request for a temporary restraining order [DE 2] is DENIED.

SO ORDERED, this 17 day of April 2025.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE